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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/518,880

08/08/2005

Hans-Joachim Barth

10808/158

5306

48581

7590

12/22/2009

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CHICAGO, IL 60610

EXAMINER

GOODWIN, DAVID J

ART UNIT

PAPER NUMBER

2818

MAIL DATE

DELIVERY MODE

12/22/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 11/05/09 have been fully considered but they are not persuasive.
2. The applicant argues that Unity™ (butylnorbornene and triethoxysilyl) was not known to be photopatternable until 2003.
3. The property that a material can be pattern using light depends on the physical chemical structure of the material and is therefore inherent to the material. The photopatternability of Unity™ (butylnorbornene and triethoxysilyl) is therefore inherent. MPEP 2112, 2131.01.
4. In response to applicant's argument that the applicant has recognized photopatternability, the fact that applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability when the differences would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID GOODWIN whose telephone number is (571)272-8451. The examiner can normally be reached on Monday through Friday, 9:00am through 5:00pm.

Art Unit: 2818

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Loke can be reached on (571)272-1657. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Djg

/STEVEN LOKE/

Supervisory Patent Examiner, Art Unit 2818